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January 16, 2018

RECEIVED

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SC Court of Appeals

The Honorable Jenny Kitchings  
Clerk of Court, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

Re: The State v. Kevin Lamar Gary, Appellate Case No. 2016-001603

Dear Ms. Kitchings:

Though Respondent requested that this Court hold the above-referenced case in abeyance, this Court's Order instructed Appellant's counsel to provide this Court with status updates every thirty days. As of the writing of this letter, our Supreme Court has not issued any amended opinion in State v. Beaty, Op. No. 2015-000718, 2016 WL 7474479 (S.C. Dec. 29, 2016), *rehearing granted* (Mar. 24, 2017). Oral argument was held on June 15, 2017. As counsel for Appellant articulated in her opposition to the motion for abeyance, the Supreme Court has no timeframe in which it is required to render any decision in Beaty.

This case been held in abeyance for one-hundred and fifty-five days, since August 15, 2017. The amended initial brief of appellant was filed in this case on March 31, 2017. Due to this abeyance, the State has not filed an initial brief of respondent.

Please feel free to contact me if you have any questions.

Sincerely,

Laura R. Baer  
Appellate Defender

cc: David Spencer, Esq.  
Kevin Gary